

AMENDED COMPLAINT

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINAJames W Alexander
IF 317680

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

SCDC Warden Charles Mitchell Williams
SCX A/W Gildonell A/W Robinson Major
Marshal Mr. Rogers Ms. Harris.

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

RECEIVED
USDC CLERK, FLORENCE, SC
2019 FEB 25 PM 12:18

Complaint for Violation of Civil
Rights
(Prisoner Complaint)
Case No. 4:18-3568-BHH-TER
(to be filled in by the Clerk's Office)

Jury Trial: Yes No
(check one)

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NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

When submitted for filing, your complaint should be accompanied by the full filing fee or an application to proceed in *forma pauperis*.

1. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

James Walter Alexander

All other names by which you have been known:

E24192

ID Number

#317680

Current Institution

386 Redemption way McCormick
McCormick SC 29899

Address

Prison

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Charles Mitchell Williams

Job or Title
(if known)

SC DC Warden for McCormick CI

Shield Number

Unknown

Employer

SCDC Headquarter in Columbia

Address

386 Redemption way

McCormick SC 29899



Individual capacity



Official capacity

Defendant No. 2

Name

Ms. Glidwell

Job or Title
(if known)

A/W At McCormick prison
over Programs

Shield Number

Unknown

Employer

SCDC

Address

386 Redemption Way
McCormick SC 29897

Individual capacity

Official capacity

Defendant No. 3

Name

Thomas Robinson

Job or Title
(if known)

A/W At McCormick prison
over security

Shield Number

Unknown

Employer

SCDC

Address

386 Redemption Way
McCormick SC 29897

Individual capacity

Official capacity

Defendant No. 4

Name

MS Marshall

Job or Title
(if known)

Major over security at McCormick

Shield Number

Unknown

Employer

SCDC

Address

386 Redemption Way
McCormick SC 29897

Individual capacity

Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

Note: Employee is an staff Refused
to reveal mc Rogers an ms. Harris
first names

Mr. Rogers

commicary employee

Unknown

SCDC

386 Redemption way

McCormick SC. 29894

Individual capacity

Official capacity

Defendant No. 3

Name

ms. Harris

Job or Title

commicary employee

(if known)

Shield Number

Unknown

Employer

SCDC

Address

386 Redemption way

McCormick SC. 29894

Individual capacity

Official capacity

Defendant No. 4

Name

Job or Title

(if known)

Shield Number

Employer

Address

Individual capacity

Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

SECTION D Page 4

[Page 4]

Defendant: 1 warden Charles Michelle Williams acted under color of Statute at any and all times. Defendant warden Charles m williams on 9-13-18 under the direction an order of S.C.D.C Head quarters personally overseen the S.C.D.C MNS movement of Inmate's Hole at McCormick CI an personally gave orders that All Inmates in F4B to be taken from there cell stripped out of their tan uniforms an put in Orange uniforms on their body's be regard as pictures of their tatts by him. He also ordered his employees A/w Glidewell &/or Robinson commissary employees Mr. Rogers an ms Harris an other employees that NO inmate was to pack his Belongings. That commissary employees will go threw All property for extra materials. That A/w Glidewell an Mr. Robinson an major marshal over see everything an make sure Be given there correct property an that if any thing is missing to Mr. Rogers an ms Harris. So when he received said request to him an received this from a lot of his Employees includ- his A/w/s an major an commissary employees that A lot of Inmate has missing request an Grievance forms an 13701 in the situation he acted under color of Statute an local law by not first investigating the situation to find truth or false by continuously for 5 months an is still ongoing as of today 1-22-19 has willfully Peioply an Deliberately subjected Plaintiff to cruel & unusual punishment By subjecting Plaintiff to Bed bugs, Rashes on bed sores, an to severe, cold air conditioning By Deprivin Said Plaintiff of State & local law statin that an inmate in County Jail or State or Fed Prison must be provided with meals, Proper Bed Clothing such as Sheet's an Blanket must provide All Inmate with Proper Clothing, Boxers, Socks, Shoes, Pant, Shirt, Towel & Washcloth. Defendant has acted under the color of Statute an Violated state an local laws an should be held accountable.

Defendant A/w Glidewell acted under color of Statute of state or local law when she followed order from warden Charles m williams an overseen All Inmates property, suited threw on 8-13-18 an by then Inmates started complaining an writing request to her that certain property has missing her job over programs in this situation was to inform commissary employees Mr. Rogers an ms. Harris that they may need to go to said inmates Room an search to make sure the complaint was true or not an if it has true to direct commissary employees Mr. Rogers an ms. Harris to Site Inmates missing commissary items. By Ignoring this situation after it has bring to her attention an by not doing anything she is also liable just as warden Charles m williams. ^{Violation of Constitution}

Defendant: Thomas Robinson A/w over Security Acted under color of Statute of state an local law by on 8-13-18 acting under order of Charles m williams to oversee The massive S.C.D.C movement of inmate from F4B to F2 Bring an make sure All Inmates received their property an if anything was missing to direct inmates to request to staff to A/w Robinson A/w Glidewell an warden williams on commissary employees when this situation was bring to his attention an he ignored it for 5 months an still on going he peioply an Deliberately subjected me as did A/w Glidewell an warden Charles m williams to cruel & unusual punishment State an local law states All Inmate be provided with Basic needs such as Bed clothing, clothing for body, meals ect

Section D Page 4

(Page 2)

Defendant, major marshal, acted under color of Statute of State an local law at all times, by following the orders given by Warden Charles R. Williams A/k/a Thomas Robinson A/k/a Glidewell on 8-13-18. She is the major over Security an was also directed to oversee all inmates property an to make sure all inmates received there correct property. After all inmates was moved from F4 Bunk to F2 Bunk on 8-13-18 an to direct all inmates missing any thing to send Reuest to Warden Williams A/k/a Glidewell A/k/a Robinson an herself an commictry employee. In this situation she had knowledge After I bring my situation to her attention she ignored this situation an is still ignoring this situation an this situation started on 8-13-18 an still to this date 1-22-19 an on going has still not been seen to this is cruel & unusual punishment violating state an local law an constitutional Right's.

Defendants: Mr. Rogers 3 Ms. Harris commictry employees, acted under color of Statute of State an local law with state that all prisoners or inmates in county jail or state or fed prisons must be provided with basic needs, such as Bed clothing, human clothing, plus towels, wash cloths, ect. An meals on 8-13-18 after following orders from Warden A/k/a/ major marshal Both Defendants where threw all inmates in F4 Bunk property in A FAST PAGE was missing things. Inmates such as my self the Plaintiff has directed to send staff request to the Warden Both A/k/a/ the major an commictry employees Mr. Rogers an Ms. Harris I bring the situation of my ~~to~~ said property missing an that By not providing me with ~~to~~ said property missing an that cloths, Bed clothing, Sheets an, Boxes, Sock's, Towel's wash They would be subjecting me to cruel & unusual punishment violation my 8th Admin Constitution Right's. This is still an on going matter that started on 8-13-18 an still Till this date 1-22-19 an on going still has not been handle.

A. Are you bringing suit against (*check all that apply*):

Federal officials (a *Bivens* claim)
 State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

cruel / unusual punishment under 8th Admin
constitutional Rights.

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

D. Section 1983 allows defendants to be found liable only when they have acted “under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia.” 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

See Attached pages marked section D page 4

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (*check all that apply*):

Pretrial detainee
 Civilly committed detainee
 Immigration detainee

IV. Part D on Page 5

an to profile All Inmates again To Take All extra property or commissary Item's an to confiscate All contraband. Then after All the Inmate's are moved they will begin to fix the F4 Barrs. During this time date, on massive movement No Inmate was allowed to Pack his own belongings. ~~so~~ This was ordered an Directed by warden Charles Michelle Williams. He gave this order to A/W Glidwell, A/w Robinson, major marshal an Mr. Rogers an Ms. Harris the Commissary Employee's. The warden said to direct any inmate who states he is missing anything to send a Staff Reavest to him/ A/w Glidwell an A/w Robinson an major marshal Mr. Rogers an Ms. Harris an the concern's will be looked into.

Upon me receiving my belongings in F2 B117 on 8-13-18 I Noticed my TV. Both Bed Sheets an Blanket, Boxers except, PAIS, All socks except 1 pair All towels an wash cloth, so I wrote to Warden Williams Both A/w's Glidwell an Robinson major marshal an Mr. Rogers an Ms. Harris in Commissary, I did this several times trying to use an EXSAUST All my Remedies. I mainly wrote about my sheets an blanket because state an local laws state that any inmate or prisoner in custody are to be given there basic need or necessities such as, Bed clothing to include sheets an Blanket, human clothing an ect. But everytime I received an answer ~~so~~ I was told to write Mr. Rogers an Ms. Harris in Commissary I did so in there response was that it's my fault that I keep losing my property an that I had a history of losing stuff which I don't have a history of that SCDC packer your things or left your Roommate pack your things when you go to lock up st stuff an Ms. Harris refused to replace anything, I went to major marshal an Robinson who spoke to Warden Charles M Williams who told me to keep sending Reavest to staff an to file a Grievance which I did an no one still has not given me Boxers socks, Towel washcloth, Sheets or Blanket, my Grievance was denied on first step starting I failed to file on time which is also not true my proof is an The Work but I can't get SCDC to give me a Pint Out. This started on 8-13-18 it still has not been handled till this date 1-22-19 an is ~~is~~ still an ongoing situation, It's been 5 months I still don't have any sheets, Blankets, Boxers, Socks towels wash cloth this law suite is not about my belongings any longer SCDC has treated me cruelly an unsavil punished me for 5 strait months. Violating the Constitution Right

Convicted and sentenced state prisoner

Convicted and sentenced federal prisoner

Other (explain) _____

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

This Incident is still on going, ~~not~~ Happend At 386
 Redemptionary McCormick SC. 29899 McCormick Prison
 happened in F4 Bwng an F2 Bwng an Now F2
 Amtns.

C. What date and approximate time did the events giving rise to your claim(s) occur?

Started on 8-13-18 8:30 Am - 4:30 pm, On going
 still.

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

On 8-13-18 McCormick prison did a massive Uniform movement
 moving all Inmate's From F4 Bwng to F2 Bwng
 To Change Inmate's From tan Uniform to orange
 continue on extra page.

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

I have been subjected to Bed rashes Because of
no Shefer & Blanket, I've Been Subjected to
Cold Condition From SCDC Running the air
condition All year around It's winter time an
I've Been freezing creating a pain an numbness
in my legs an Bone's An mentle Abuse
An physical
(Pain & suffering)

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

I want the court to first understand this lawsuit is
Not about my property any longer, It's about SCDC Violation,
my 8th Admin Constitution rights by Treating me to cruel & unusual punishment
Punishment by not Replacing the property an that this has been going
on for 5 months an is still ongoing. I'm asking for \$1,500 in money
Damages for the pain & suffering I've been subjected to an for the violation
of my 8th Admin Rights

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes

No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

McCormick CT 386 Redemption
McCormick SC 29898

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

Yes

No

Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

Yes

No

Do not know

If yes, which claim(s)?

All

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

Yes

No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes

No

E. If you did file a grievance:

1. Where did you file the grievance?

at mccormick prison

2. What did you claim in your grievance?

That my 8th Admin Rights has been violated
An I was being treated cruelly an on just
That I am missing Sheets/Blanket ect.

3. What was the result, if any?

my Grievance was returned an denied
Staff failed fine France

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

I can't when The Grievance People
Return it like that, But I still keep
sending Reavers to Staff via kiosk
an still have not been given Sheets/Blanket ect
still on going.

E. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

The court already have a copy
of my grievance

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The “three strikes rule” bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has “on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this “three strikes rule”?

Yes
 No

If so, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes

No

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. (*If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.*)

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court (*if federal court, name the district; if state court, name the county and State*)

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

Yes

No

If no, give the approximate date of disposition. _____

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

Yes

No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court (if federal court, name the district; if state court, name the county and State)

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

Yes

No

If no, give the approximate date of disposition. _____

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 2-21-2019

317680

Signature of Plaintiff

Printed Name of Plaintiff

Prison Identification # 317680

Prison Address 386 Redemption Way F2A-192
McCormick SC 29899

City

State

Zip Code

B. For Attorneys

Date of signing: _____, 20 ____.

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm